

REMARKS

Applicant respectfully requests consideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 22-36 and 55-69 were canceled previously. Claims 7, 42, 73, and 76 are currently requested to be canceled. Claims 1-6, 8-14, 17, 19-21, 37-41, 43-49, 52, 54, 70-72, 74, 75, and 77 have been amended. Claims 1-6, 8-21, 37-41, 43-54, 70-72, 74, 75, and 77 are pending in this application.

Claim Rejections Under 35 U.S.C. § 102(b)

On page 2 of the Final Office Action, Claims 1-77 were rejected under 35 U.S.C. § 102(b) as being anticipated by a paper title *Bridging Physical and Virtual Worlds with Electronic Tags* by Want *et al.* (Want). Claims 22-36 and 55-69 were cancelled in the response mailed April 21, 2008, rendering their rejection moot. Claims 7, 42, 73, and 76 are currently requested to be canceled, rendering their rejection moot. Though Applicant respectfully disagrees with the rejection, Applicant has amended Claims 1-6, 8-14, 17, 19-21, 37-41, 43-49, 52, 54, 70-72, 74, 75, and 77 to further distinguish over Want. As a result, Applicant respectfully submits that Want fails to teach, suggest, or disclose all of the elements of at least independent Claims 1, 37, 70, and 71.

Independent Claim 1, as amended, recites:

receiving a first selection associated with an electronic item
through an input interface of a computerized vending machine;

electronically receiving a second selection associated with a
physical item through the input interface of the computerized
vending machine, wherein the physical item includes a storage
element;

storing the electronic item in the storage element of the physical
item in response to the received first selection and the received
second selection; and

the computerized vending machine providing the physical item,
wherein the electronic item is accessible from the physical item

Independent Claims 37, 70, and 71, though of different scope, recite similar features.

On page 2 of the Advisory Action, the Examiner states:

Want discloses the augment of RFID tags to several items based on user's wishes see page 371 SYSTEM OVERVIEW par. 1 & Page 372 SOME SAMPLE APPLICATIONS AND PROTOTYPES. And further Want discusses several factors in choosing the right tags for application, e.g. unobtrusiveness(physical shape of tags), robustness(wear and tear due to normal use) see Page 372 Unobtrusiveness & Robustness.

On page 371, Want states that the "essence of the system is the attachment of one or more electronic identification tags [to] each physical item that we wish to augment." On page 372, Want describes the advantages of the tag system including its unobtrusiveness and robustness. Want further states:

Tags can be imperceptibly added to existing physical artifacts used for user identification, such as ID cards, signet rings, watches, jewelry, or even keys. When such an artifact moves close to the computer, the user specified by the tag has their profile and preferences applied to the current context.

(pg. 374). Thus, Want describes a physical item. However, Applicant respectfully submits that Want fails to teach, suggest, or describe at least "receiving a first selection associated with an electronic item," "receiving a second selection associated with a physical item ... wherein the physical item includes a storage element," and "storing the electronic item in the storage element of the physical item in response to the received first selection and the received second selection" as recited in at least Claim 1, and similarly recited in Claims 37, 70, and 71.

Claims 72, 74, 75, and 77

On page 2 of the Final Office Action, the Examiner argues that Want discloses receiving specifications of one or more physical entity cosmetic attributes in "Augmenting Non-Document Objects: The Photo Cube." Relative to "Augmenting Non-Document Objects: The Photo Cube," Want states:

Virtual links may be associated with any physical container or object and may reference various media, not just textual information. For example, consider a "photo cube" (Figure 9). In this document container, a set of 6 related documents (photographs) are bound together within the same physical object. Each face or side of the cube has its own associated

information set. augmented by a unique ID tag. This is one example of a 3D-augmented object.

To implement this prototype, we took a small balsa wood cubeoid (5cm by 7.5cm by 7.5cm), and drilled holes in each face such that each face could accommodate a disk-sized tag (see Figure 1). Each face was then covered with a photograph - one photo of each author of this paper. Each of these graphics had a corresponding Web site link. The virtual association for each face, then, was to the Web home page for the person or organization shown on that face. For example, in Figure 10, a photo of a team member is being touched to the computer. In Figure 11, as a result of this action, the computer is displaying that person's home page. The photo-cube illustrates one mechanism associating particular affordances of a specific physical object with a set of virtual documents.

(pg. 375). Thus, Want describes physically decorating a physical entity. However, nowhere in Want is there a teaching or suggestion of “receiving a third selection of one or more physical entity cosmetic attributes, wherein the physical item is provided with said cosmetic attributes” as recited in Claims 72, 74, 75, and 77.

Claims 19 and 54

On page 2 of the Advisory Action, the Examiner states that “Want discloses the ID tags being associated with a user/computer and being mapped to a database to limit access to documents see Page 376 Software Infrastructure Par. 2.” Relative to “Software Infrastructure,” Want states:

We create a shared network database, mapping each tag ID number to its virtual association. By placing this database on the network, and making the association descriptions generic, we were able to support augmented documents in a portable way and ensure consistent object response across multiple computers/users.

(pg. 376). Thus, Want describes creating a database mapping each tag ID to its virtual association. However, Want fails to teach, suggest, or describe “access restrictions are imposed for said electronic item,” as recited in Claims 19 and 54.

Claims 20 and 21

On page 2 of the Advisory Action, the Examiner states that “Want discloses the associating [sic] a set of actions with a tags that a [sic] administrator must mainatain [sic] in a file, which can include a payment for physical entity see Page 372 Associating Functionality.” Relative to “Associating Functionality,” Want states that “[a]t present our system supports a general binding of tag to semantics. However, this comes at a price. The administrator of the tag system or the user must register actions and maintain this file.” (Pg. 372). Thus, Want uses the term “price” in the context of a disadvantage or penalty associated with “register[ing] actions and maintain[ing] this file.” However, the use of the term “price” is clearly not in the context of “receiving payment for said physical item” as recited in Claim 20 and to “a correlation between payment amount and access restrictions imposed for said electronic item” as recited in Claim 21. Therefore, Want fails to teach, suggest, or describe all of the elements recited in Claims 20 and 21.

Claim 70

On page 2 of the Advisory Action, the Examiner states that “Want discloses the provsioning [sic] hardware by registering with the database see Page 372 Par 3.” In the cited paragraph, Want states that “our application program interprets the ID input string, determines the current application context, and provides appropriate feedback. In particular, we maintain an ASCII file that maps ID numbers to one or more actions.” (Pg. 372). However, Applicant respectfully submits that Want fails to teach, suggest, or describe anything whatsoever related to “physical entity provisioning hardware,” as recited in Claim 70.

Claims 1, 73, and 76

On page 2 of the Advisory Action, the Examiner states that “Want discloses many implementations including a computer see Page 376 Harware [sic] Integration & Page 375 PhotoCube.” Neither of the cited sections of Want relates in any way to “a computer vending machine” as recited in Claim 73 or “a computerized vending machine” as recited in Claims 1 and 76. In fact, fully considering the entire reference, Want fails to teach, suggest, or describe anything whatsoever related to “a computer vending machine” as recited in Claim 73 or “a computerized vending machine” as recited in Claims 1 and 76.

Applicant believes that the present application is in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

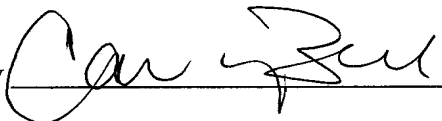
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 11, 2008

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By 

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